

State Water Resources Control Board

October 5, 2017

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7015 1520 0001 7928 2990

Mr. Douglas Belcher
Fleet Manager
City of Sunnyvale
P.O. Box 3707
Sunnyvale, California 94088
dbelcher@sunnyvale.ca.gov

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM
LOCATED AT CITY HALL ANNEX, 650 OLIVE AVENUE, SUNNYVALE**

Dear Mr. Belcher:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on September 12, 2017, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violation pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Perform Annual Spill Containment Testing – The spill containment is required to be tested annually. The last test was performed on October 16, 2014.	Emergency Generator	October 17, 2015	Ongoing	H&SC 25284.2

After additional review, it was determined that a spill container is not needed in the piping sump as long as the piping sump satisfies the requirements of 23 CCR 2635(b)(1). Since the piping sump does not have a drain valve, please ensure there is a method to remove liquid from the piping sump. You are directed to correct the ongoing violation and submit compliance documentation to the State Water Board and Sunnyvale Department of Public Safety within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violation has been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Mr. Joseph Lovesee
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
joseph.lovesee@waterboards.ca.gov

Local CUPA

Ms. Roseanne Asuncion, M.S.
Hazardous Materials Inspector
Sunnyvale Department of Public Safety
P.O. Box 3707
Sunnyvale, California 94088
rasuncion@sunnyvale.ca.gov

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Amanda Henkel". The signature is stylized with a large, looping initial 'A' and a long horizontal stroke extending to the right.

Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: (via email only)

Ms. Roseanne Asuncion, M.S.
Hazardous Materials Inspector
City of Sunnyvale Fire Department
rasuncion@sunnyvale.ca.gov